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September 14, 1973

MEMORANDUM TO MR. WILLENS

SUBJECT: Materials Provided by Mr. Chapman Regarding
U.S. Citizenship Versus Nationality

You asked me what we might do with the materials (i.e., essentially two memoranda) provided by Chapman on the citizenship versus nationality issue. The documents actually are of some usefulness. For example, the 1963 memorandum by Butcher of the Library of Congress, though it does not treat the subjects exhaustively, does suggest a couple of areas worth further research -- i.e., employment, taxation, and jury service.

I would recommend:

1. We should not send these documents to the client. Both the memoranda are wordy and are dated on a number of points (e.g., public employment). Moreover, the memorandum by Zeydel concludes that citizenship rather than nationality would probably lead to an end to restrictions on land alienation in American Samoa; as we have discussed before, this conclusion is surely overstated and is probably incorrect.

2. Rather than circulating these documents to the client, we should prepare a cover memorandum which accompanies the citizenship proposal (or alternative proposals) which Jay is now working on. The cover memorandum should

include a section on citizenship versus nationality. That section could either supplement the "super memo" with new materials (e.g., employment opportunities) or it could essentially be a rewrite of the super memo materials with the new materials added as appropriate.

I am forwarding Chapman's materials to Jay to use in his work on the citizenship proposal.

Barry Carter *BC*

cc: Mr. Lapin